

FILED

March 16, 2022

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: SAJ
Deputy

UNITED STATES OF AMERICA

Plaintiff

v

DAVID ALEJANDRO BAUTISTA

Defendant

Case No: SA-22-CR-00128-OLG

INDICTMENT

COUNT 1: 18 U.S.C. § 2252A(a)(2),
Distribution of Child Pornography

COUNT 2: 18 U.S.C § 2252A(a)(5)(B),
Possession of Child Pornography

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. § 2252A(a)(2)]

Beginning on or about October 28, 2021, and continuing through on or about December 2, 2021, within the Western District of Texas, and elsewhere, the Defendant,

DAVID ALEJANDRO BAUTISTA,

did knowingly distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), in and affecting interstate and foreign commerce, by any means, including by computer.

All in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT TWO

[18 U.S.C. § 2252A(a)(5)(B)]

On or about February 24, 2022, within the Western District of Texas, the Defendant,

DAVID ALEJANDRO BAUTISTA,

did knowingly possess material that contained an image of child pornography, that involved a prepubescent minor, which had been shipped and transported using any means and facility of

interstate and foreign commerce, and which was produced using materials which had been mailed, shipped, and transported in and affecting interstate and foreign commerce, by any means, including by computer, more specifically: the defendant possessed one HP laptop, bearing serial number CND64210CY; one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WX72A41L320; one Samsung Galaxy Note10, cellular telephone, IMEI: 358230101843796; one HP laptop, bearing serial number 2CE20818Y9; one Western Digital, 2TB, My Passport, external hard drive, bearing serial number WXH2A11503JX; one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WXB1A28NF61N; one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WXE1A964N47F; one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WXN1A65L9ULC; one Western Digital, 2TB, My Passport, external hard drive, bearing serial number WXF2A20563P9; one Western Digital, 2TB, My Passport, external hard drive, bearing serial number WXR2A316T8KS; and three micro SD flash memory cards; which contained still images and videos of child pornography as defined in Title 18, United States Code, Section 2256(8)(A).

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

Child Pornography Violations and Forfeiture Statutes

As a result of the violations set forth in Counts One and Two, the United States gives notice of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 2253(a)(1), (2), and (3), which state:

Title 18 U.S.C. § 2253. Criminal forfeiture

(a) Property subject to criminal forfeiture.-A person who is convicted of an offense under this chapter involving a visual depiction described in section... 2252A...of this chapter... shall forfeit to the United States such person's interest in-

(1) any visual depiction described in section... 2252A...of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

This Notice of Demand for Forfeiture includes but is not limited to the following property:

- one HP laptop, bearing serial number CND64210CY;
- one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WX72A41L320;
- one Samsung Galaxy Note10, cellular telephone, IMEI: 358230101843796;
- one HP laptop, bearing serial number 2CE20818Y9;
- one Western Digital, 2TB, My Passport, external hard drive, bearing serial number WXH2A11503JX;
- one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WXB1A28NF61N;
- one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WXE1A964N47F;
- one Western Digital, 1TB, My Passport, external hard drive, bearing serial number WXN1A65L9ULC;
- one Western Digital, 2TB, My Passport, external hard drive, bearing serial number WXF2A20563P9;
- one Western Digital, 2TB, My Passport, external hard drive, bearing serial number WXR2A316T8KS; and
- three micro SD flash memory cards

A TRUE BILL

FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY:


FOR BETTINA J. RICHARDSON
Assistant United States Attorney